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REMARKS

Applicant acknowledges the Examiner's review of the specification, claims, and drawings. In light of the above amendments and following remarks, Applicant respectfully requests reconsideration of the present application. The amendments and remarks presented herein are fully supported by the application as originally filed. No new matter has been entered.

STATUS OF THE CLAIMS:

Claims 1-4 and 6-24 are pending in the application. Claim 5 has been cancelled herein.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102:

The Examiner rejects Claims 1, 2, 9, 10, 13, and 14 under 35 U.S.C. § 102(b) as being anticipated by UK Patent Application No. 2,171,831 to Cumow.

The Examiner rejects Claims 1-4, 6-9, 13, and 15 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,871,153 to Copen.

The Examiner rejects Claims 1-3, 5, 9-11, and 13-20 under 35 U.S.C. § 102(b) as being anticipated by German Patent 2,263,517 to Held.

Applicant respectfully traverses. Applicant's invention is directed to a holder that is particularly useful for holding advertising or promotional material, including pamphlets, in a manner to provide easy access to the advertising material and, further, which is especially suitable for use with a vehicle. As described in the specification, the holder can be mounted in a window of a vehicle and held in place by simply draping the extension of the holder over the top edge of the window and the rolling the window up to at least a partially

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closed position. Once in place, the pamphlets or other informational material, which is stored in a pocket of the holder, is easily accessible from the exterior of the vehicle.

In one embodiment, the extension includes a looped portion with a cylindrical member positioned in the looped portion to further secure the holder in the window, as illustrated in FIG. 2 of the application, which is reproduced below.

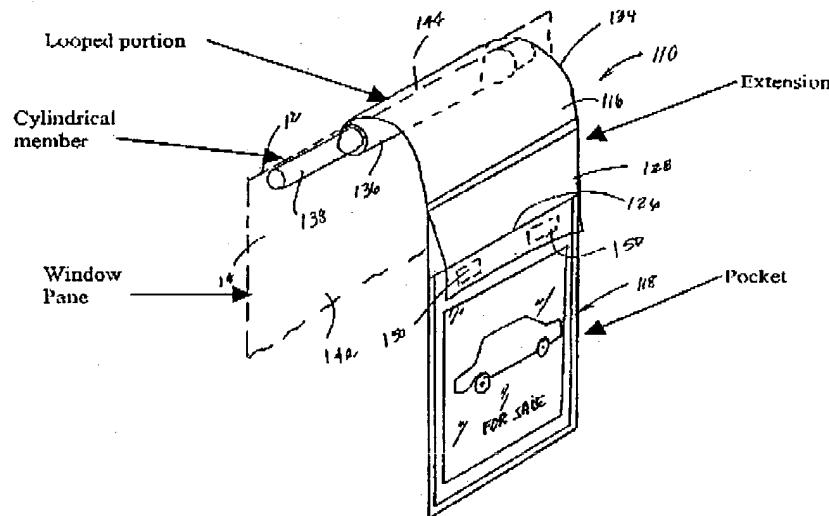


FIG. 2

Notwithstanding, Applicant has amended Claims 1 and 16 to more clearly define Applicant's invention, which now call for:

1. A holder comprising:  
a pocket for holding informational material;  
an extension extending from said pocket, said extension being flexible for engagement by a window pane when the extension is placed over the window pane and the window pane is in an at least a generally closed position wherein said extension includes a looped portion; and  
a cylindrical member, said looped portion for holding said cylindrical member wherein said cylindrical member

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adapts said extension for being engaged by a window pane when the window pane is in the at least generally closed position.

16. A holder comprising:  
a first sheet of flexible material;  
a second sheet of material secured to said first sheet  
and forming a pocket with said first sheet, said first sheet  
extending beyond said second sheet to form an extension, said  
extension having a length sufficient for draping over an upper edge  
of a window pane;  
a loop formed in said extension; and  
a cylindrical member positioned in said loop and  
forming a stop to thereby support said holder from the window  
pane when said extension and said loop are draped over an upper  
edge of a window pane and the window pane is at least partially  
closed.

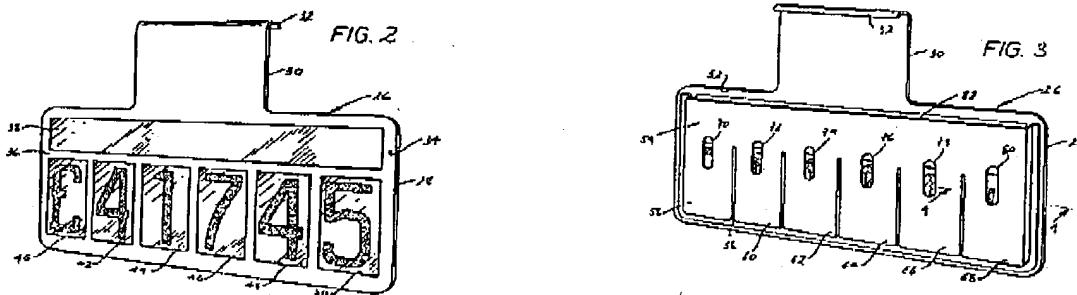
Applicant respectfully urges that neither Curnow, Copen, nor Held discloses or suggests the claimed combinations.

For example, with respect to Claim 1, neither Curnow nor Copen nor Held discloses or suggests a holder that includes an extension extending from a pocket, with the extension being flexible for engagement by a window pane when the extension is placed over the window pane and the window pane is in an at least generally closed position in combination with the extension forming a closed loop portion holding a cylindrical member therein, which adapts the extension from being engaged by the window pane when the window pane is in the at least partially generally closed position.

To establish anticipation of a claim, each of the limitations must be found in a single prior art reference. Furthermore, "A claim is anticipated if only each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Moreover, "the identical invention must be shown

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in as complete detail as is contained in the claim". *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Furthermore, all words in a claim must be considered in judging patentability of a claim against the prior art. *In re Fine*, 873 F.2d 1076, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988); *In re Wilson*, 424 F.2d 1382, 165 U.S.P.Q. 494 (CCPA 1970).



With reference to Curnow, as illustrated in FIGS. 2 and 3 (reproduced above) and described in the '831 patent application, Curnow is directed to a display sign that is suitable for attachment to a sun visor and hooks over the sun visor. As described in the specification: "The display sign described above is particularly suitable for attachment to a sun visor of a motor vehicle to display the price required for sale of the vehicle. In this application, the sign is hooked over the sun visor and the visor lowered so that the front face of the display panel is presented against the windscreen of the vehicle." See page 1, line 128 through page 2, line 6. Therefore, Applicant respectfully urges that the arm on which the Examiner relies as the extension, namely part 32, 33, is not flexible nor could it be flexible; otherwise, the display device could not hook onto the visor and, therefore, would not operate

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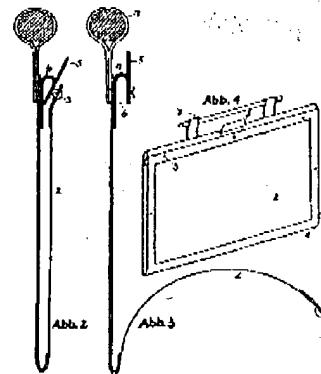
as intended. Further, Curnow does not disclose or suggest the extension forming a looped portion holding a cylindrical member where the cylindrical member adapts the extension for being engaged by a window pane.

With respect to Copen, Copen is directed to a multi card carrier for a wallet or a portfolio. Therefore, Applicant respectfully urges that Copen provides no teaching or suggestion for a holder with a flexible extension for engagement by a window pane when the extension is placed over the window pane and the window pane is in a generally closed position. Furthermore, Copen does not disclose or suggest an extension forming a looped portion holding a cylindrical member where the cylindrical member adapts the extension for being engaged by a window pane.

With respect to Held, Applicant respectfully urges that Held does not disclose or suggest a flexible extension from a pocket for engagement by a window pane when the extension is placed over the window pane and the window pane is in a generally closed position. In contrast, Held is directed to a storage case for education pictures.

Therefore, Applicant respectfully urges that Claim 1 and its dependent claims, namely Claims 2-4 and 6-15, are patentably distinguishable over Curnow, Copen, or Held.

With respect to Claim 16, Applicant respectfully urge that Held does not disclose or suggest the claimed combination. For example, Held does not disclose or suggest a first sheet, which forms a pocket with a second sheet, with the first sheet extending beyond the second sheet to form an extension having a length sufficient for draping over an upper edge of a window pane. As seen in FIGS. Abb1-Abb3 of the Held patent, which are reproduced herein, the



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extensions on which the Examiner relies are mounted to the back sheet of the case—they are not formed from the back sheet. Furthermore, there is no teaching or suggestion to have an extension that can drape over an edge of window pane and be engaged by the window pane when the window pane is at least partially closed.

Therefore, Applicant respectfully urges that Claim 16 and its dependent claims, namely Claims 17-24, are patentably distinguishable over Held alone or in combination with any other reference of record.

**CLAIM REJECTIONS UNDER 35 U.S.C. § 103:**

The Examiner rejects Claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Held in view of U.S. Patent Publication No. 20030136038A1 to Durham.

With respect to Claim 7, Claim 7 is dependent upon amended Claim 1 and thus incorporates the same limitations as amended Claim 1. Applicant respectfully urges, therefore, that Claim 7 is patentably distinguishable over Held for at least the reasons set forth above in reference to Claim 1. Furthermore, Applicant respectfully urges that Durham does not cure the deficiencies of Held. For example, Durham does not disclose or suggest a flexible extension from a pocket for engagement by a window pane when the extension is placed over the window pane and the window pane is in a generally closed position.

Accordingly, in light of the above amendments and remarks, Applicant respectfully requests reconsideration of the present application and a Notice of Allowance of all claims, namely Claims 1-4 and 6-24.

Should the Examiner have any questions or suggestions, he is invited to contact the undersigned at (616) 975-5506 or at [collins@vglb.com](mailto:collins@vglb.com).

Respectfully submitted,

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